

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

MINERVA INDUSTRIES, INC.

Plaintiff,

v.

MOTOROLA, INC., et al.,

Defendants.

CIVIL ACTION NO. 2-07-cv-229-CE

AND RELATED COUNTERCLAIMS.

**STIPULATION OF DISMISSAL WITH PREJUDICE AS TO DEFENDANT AND
COUNTERCLAIM PLAINTIFF HEWLETT-PACKARD COMPANY**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and Counterclaim Defendant MINERVA INDUSTRIES, INC. (“Minerva”) and Defendant and Counterclaim Plaintiff HEWLETT-PACKARD COMPANY (“HP”), and by their attorneys, that pursuant to Fed.R.Civ.P. 41(a)(1)(ii) all claims asserted between Minerva and HP in the above-captioned action be, and they hereby are, dismissed with prejudice and all counterclaims are dismissed as moot.

Each party shall bear its own costs and attorneys’ fees.

Respectfully submitted,

By: /s/ Marc A. Fenster

Marc A. Fenster, CA SB # 181067
 E-mail: mfenster@raklaw.com
 Irene Y. Lee, CA SB # 213625
 E-mail: ilee@raklaw.com
 Stanley H. Thompson, CA SB # 198825
 E-mail: sthompson@raklaw.com
 Alexander C. Giza, CA SB # 212327
 E-mail: agiza@raklaw.com
 Adam S. Hoffman, CA SB # 218740
 E-mail: ahoffman@raklaw.com
 Andrew Weiss, CA SB # 232974
 E-mail: aweiss@raklaw.com
 RUSS, AUGUST & KABAT
 12424 Wilshire Boulevard 12th Floor
 Los Angeles, California 90025
 Telephone: 310/826-7474
 Facsimile: 310/826-6991

Otis W. Carroll, Attorney-In-Charge
 TX SB #. 03895700
 E-mail: otiscarroll@icklaw.com
 Collin M. Maloney, TX SB # 00794219
 E-mail: cmaloney@icklaw.com
 IRELAND CARROLL & KELLEY, P.C.
 6101 South Broadway, Suite 500
 P.O. Box 7879
 Tyler, Texas 75711
 Telephone: 903/561-1600
 Facsimile: 903/581-1071

S. Calvin Capshaw, TX SB # 0378390
 E-mail: ccapshaw@mailbmc.com
 Elizabeth L. DeRieux, TX SB # 05770585
 E-mail: ederieux@capshawlaw.com
 D. Jeffrey Rambin, TX Bar # 00791478
 Email: jrambin@capshawlaw.com
 CAPSHAW DERIEUX, LLP
 1127 Judson Road, Suite 220
 Longview, Texas 75601
 Telephone: 903/236-9800
 Facsimile: 903/236-8787

Melvin R. Wilcox, III, TX SB # 21454800
mrw@ywfirmlaw.com
 YARBROUGH & WILCOX PLLC
 100 E. Ferguson Street

By: /s/ Steven M. Geiszler

Steven M. Geiszler, Esq.
 Texas Bar No. 24032227
sgeiszler@gibsondunn.com
 GIBSON, DUNN & CRUTCHER LLP
 2100 McKinney Avenue
 Dallas, Texas 75201-6912
 Telephone: 214/698-3249
 Facsimile: 214/571-2900

Josh A. Krevitt, Esq.
 Lead Attorney
 New York Bar No. 2568228
jkrevitt@gibsondunn.com
 GIBSON, DUNN & CRUTCHER LLP
 200 Park Avenue, 47th Floor
 New York, NY 10166
 Telephone: 212/351-4000
 Facsimile: 212/351-4035

Charles Ainsworth
charley@pbatyler.com
 Texas Bar No. 00783521
 PARKER BUNT & AINSWORTH
 100 E Ferguson, Suite 1114
 Tyler, TX 75702
 Telephone: 903/531-3535
 Facsimile: 903/533-9687

**Attorneys for Defendant and Counterclaim
 Plaintiff HEWLETT-PACKARD
 COMPANY**

<p>Tyler, Texas 75702 Telephone: 903/595-1133 Facsimile: 903/595-0191</p> <p>Attorneys for Plaintiff and Counterclaim Defendant MINERVA INDUSTRIES, INC.</p>	
---	--